

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

John Green, Jr.

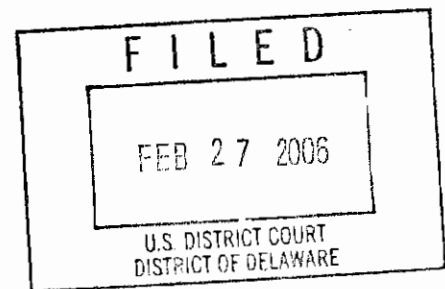
Plaintiff,

v.

C.A. No. 04-920-KAJ

CAPE HENLOPEN SCHOOL DISTRICT)
MORRIS, JAMES, HITCHENS &)
WILLIAMS LLP, JENNIFER BRIERLEY,)
ESQUIRE, GARY R. SPRITZ, ESQUIRE)
VICKI MCGINLEY, NANCY)
HORSTMANN, SECRETARY OF)
EDUCATION VALERIE A. WOODRUFF,)
ICRIS BATTAGLINI, SHANNON)
PALMER)

Defendants.



**PLAINTIFF JOHN GREEN, JR
RULE 26(a)(1) INITIAL DISCLOSURES**

John Green Jr., pro se discloses the following information in compliance with Rule 26(a)(1) of the Federal Rules of Civil Procedure and the Scheduling Order in this matter. These disclosures are based on information reasonably available to John Green Jr. Continuing investigation and discovery may alter these disclosures. John Green, Jr. reserves the right to supplement the information disclosed below if additional information becomes available.

By making these disclosures, Plaintiff does not represent he is identifying every document, tangible thing, or witness possibly relevant to this claim. Nor does the Plaintiff waive his rights to object to the production of any document or tangible thing disclosed on the basis of privilege, the work-product doctrine, relevancy, undue burden or any other valid objection. The Plaintiffs' disclosures represent a good faith effort to identify information they reasonably believe is required by Rule 26(a)(1).

The Plaintiffs' disclosures are made without waiver of: 1) the right to object on the grounds of competency, privilege, relevancy and materiality, hearsay or other proper ground, 2) the right to object to the use of any such information, for any purpose, in whole or in part, in any other action; and 3) the right to object on any and all proper grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these disclosures.

All of the disclosures set forth below are made subject to the above objections and qualifications.

(A) Individuals likely to have discoverable information in support of Defendants' defenses:

The following persons employed by the Department of Education may be contacted through Deputy Attorney General Craig Fitzgerald, 102 West Water Street, Dover, DE 19904.

1. Valerie A. Woodruff, Secretary of Education
2. Martha Toomey, Director of the Exceptional Children and Early Childhood Education Group
3. Louann Van, Esquire, Education Associate for Procedural Safeguards and Compliance Monitoring
4. Dr. Martha Brooks, Ed.D, Associate Secretary, Curriculum and Instructional Improvement
5. Jacqueline Paras, Administrative Secretary, Exceptional Children and Early Childhood Education Group

The following persons may be contacted through Deputy Attorney General Mary Cooke, 102 West Water Street, Dover, DE 19904.

6. Gary Spnitz, Esquire
7. Vicki McGinley, Ph.D
8. Nancy Horstmann

The following persons (9-18) may be contacted through counsel for the Cape Henlopen School District, David Williams, Esq., Morris, James, Hitchens & Williams, LLP, 222 Delaware Avenue, P.O. Box 2306, Wilmington, DE 19899-2306.

9. Dr. Kris O. Battaglini, Ed.D.
10. Kelly Cref
11. Shannon Palmer
12. Kathy M. Swingle
13. Russ Gehrt
14. Terry Hazard

15. Dan Cook

16. Dr. Greg Drevno

17. Daniel Hulse

18. Denise Wyatt

19. Dr. Paula Burdette
Director, Project Forum
NASDSE
1800 Diagonal Road
Alexandria, VA 22314
Phone: 703-519-3800

20. Patrice Little
Delamarva Reporting
217-A North DuPont Boulevard
Smyrna, DE 19977
302-653-1036

21. Tanya Congo
Delamarva Reporting
217-A North DuPont Boulevard
Smyrna, DE 19977
302-653-1036

22. Patrice Little
Delamarva Reporting
217-A North DuPont Boulevard
Smyrna, DE 19977
302-653-1036

23 John Green, Jr.
Suite 9-143
17252 N. Village Main Blvd.
Lewes, DE 19958

24 Melody Benson, MD
431 Savannah Rd.
Lewes, DE 19958

In addition, the Plaintiff reserves his rights pursuant to Rule 26(e) to identify additional witnesses. The Plaintiff further reserves the right to identify and call any witnesses listed by the plaintiff

(B) Documents that may be used to support the Plaintiffs' case:

1. Contents of the official record of the Due Process Hearing.
2. Contents of the administrative file(s) located at the Department of Education related to the Due Process Hearing or the Hearing Officers.
3. Contents of the files maintained by the Cape Henlopen School District related to Alex Green
4. Correspondence located at the Department of Education and the Cape Henlopen School District.
5. The following relevant document is already in your possession:

Due Process Hearing Technical Assistance Manual, Delaware Department of Education, Exceptional Children and Early Childhood Group.

In addition, The Plaintiff reserves his rights, pursuant to Rule 26(e) to identify additional documents. The Plaintiff further reserves the right to identify and utilize any document listed by the Defendants.

(C) Experts and their opinions: Damage Computation, Ability of Plaintiff to effectively forward his and his son's claim with accommodations denied.

The Plaintiff has not yet retained any experts, but reserve the right to do so, and will supplement this response as required by Rule 26(a).

(D) Insurance Agreements in force: Plaintiff has no applicable insurance.

(E) Basis for any damages claimed:

The Plaintiff is claiming the costs of providing alternative services to his son, including projected future costs, the living costs of his son for his projected life should he have been damaged to the point of being unemployable by the Defendant's actions. Actual costs of the Due Process proceeding including expert witness fees. Plaintiff's time participating in the due process proceeding and subsequent time spent to gain a fair hearing. Punitive damages as provided for under all statutes this proceeding is being prosecuted under as well as common law damages.

John Green, Jr.

Dated: February 23, 2006



WILMINGTON, DE 19850 FEB

CLERK
U.S. District Court
844 North King St
Wilmington, DE 19801

U.S.M.S.
X-RAY

John Green
Mail Box 143
17252-9 N. Village Main Blvd.
Lewes, DE 19958